Nevada State Bar # 10548 Clark Law Counsel PLLC 10161 Park Run Drive, Suite 150 Las Vegas, NV 89145 Phone: 702-748-8600 E-mail: dustin@clarklawcounsel.com Counsel for Defendant Western Explosives Systems Company  TRUSTEES OF THE OPERATING ENGINEERS PENSION TRUST; TRUSTEES OF THE OPERATING ENGINEERS HEALTH AND WELFARE FUND; TRUSTEES OF THE OPERATING ENGINEERS JOURNEYMAN AND APPRENTICE TRAINING TRUST; AND TRUSTEES OF THE OPERATING ENGINEERS VACATION-HOLIDAY SAVINGS TRUST,  WESTERN EXPLOSIVES SYSTEMS COMPANY, a Delaware corporation, Defendant.  In accordance with LR IA 6-1, LR IA 6-2, and LR 7-1, Plainti OPERATING ENGINEERS PENSION TRUST; TRUSTEES OF TRUSTEES OF TRUST; TRUSTEES OF TRUSTES OF TRUSTES OF TRUST; TRUSTEES OF TRUSTES O	1	DUCTINIA CLADIZ		
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23 ("Plaintiffs"), and Defendant, WESTERN EXPLOSIVES S				
	23	("Plaintiffs"), and Defendant, WESTERN	EXPLOSIVES SYSTEMS COMPANY	

("Defendant"), hereby stipulate and agree to a thirty-day extension of time, **up to and including January 20, 2017**, for Defendant to answer or otherwise respond to Plaintiffs' Complaint filed in the above-captioned matter. This is the first request for an extension of the deadline to answer or otherwise respond to the Complaint.

## I. BACKGROUND

On October 21, 2016, Plaintiffs filed their Complaint alleging that Defendant breached certain purported obligations under a master labor agreement and trust documents. ECF No. 1. On November 30, 2016, Defendant's legal counsel accepted service of the Summons and Complaint on Defendant's behalf. ECF No. 4. Pursuant to Federal Rule of Civil Procedure 12(a), the current deadline for Defendant to answer or otherwise respond to Plaintiffs' Complaint is December 21, 2016.

## II. REASON FOR THE EXTENSION REQUESTED

The parties request an extension through January 20, 2017 because Plaintiffs' auditor is in the process of finalizing the analysis of Defendant's records. Depending on the audit findings, the parties may seek to resolve the matter without additional court proceedings.

The parties request the extension detailed herein to permit the auditor to finalize the audit of WESCO's records and then to allow the parties to explore possible settlement and potentially avoid expenses, including attorney's fees, to litigate the above-captioned matter. In particular, if the parties are able to resolve the matter without further litigation in this case, Defendant would not incur the attorney's fees to prepare an answer or other response to the Complaint. Also, to the extent that Defendant filed a motion in response to the Complaint, Plaintiffs would avoid the expenses of having an opposition drafted, and Defendant would not have to incur attorney's fees to draft the reply in support of the motion.

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1	The extension is requested in good faith and not for the purpose of delaying these	
2	proceedings.	
3	III. CONCLUSION	
4	For the reasons set forth above,	the parties hereby stipulate and request that the Court
5	grant a thirty-day extension of time, up to and including January 20, 2017, for Defendant to	
6	answer or otherwise respond to the Complaint.	
7	DATED: December 21, 2016	DATED: December 21, 2016
8	Respectfully submitted,	Respectfully submitted,
9	CLARK LAW COUNSEL PLLC	LAQUER, URBAN, CLIFFORD & HODGE LLP
10 11 12 13 14	/s/ Dustin L. Clark Dustin L. Clark Nevada State Bar # 10548 10161 Park Run Drive, Suite 150 Las Vegas, NV 89145 Counsel for Defendant	/s/ Nathan R. Ring Nathan R. Ring Nevada State Bar #12078 4270 South Decatur Blvd., Suite A-9 Las Vegas, NV 89103 Counsel for Plaintiffs
15 16 17 18		IT IS SO ORDERED.  CARL W. HOFFMAN UNITED STATES MAGISTRATE JUDGE
19 20		December 22, 2016
20		DATED.
22		
23		
23		